

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 96-505

November 15, 1996

NEW ENGLAND TELEPHONE COMPANY  
Re: Request for Approval of Special  
Contract with UNICEL

ORDER APPROVING  
CONTRACT

WELCH, Chairman; NUGENT, HUNT, Commissioner

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On September 3, 1996, pursuant to of 35-A M.R.S.A. § 703(3), New England Telephone Company (NET) requested approval of a contract for service between itself and UNICEL. The contract service is the Outward Toll Calling Plan furnished under the Customized Netsaver<sup>sm</sup> toll service, as described in NET's schedule P.U.C. - ME. - No. 15, Part A, section 9 and section 10, with a variance giving lower rates.

The contract contains rates, terms and conditions not offered under the current tariff. This contract is being offered to the customer in order to secure long term revenues and because the customer has alternative providers. NET has asserted that the revenues derived from this contract are the maximum attainable and are greater than would be received if the services were provided by a competitor via the appropriate form of access. Based on the information presented, we can determine that a special rate contract is appropriate in this instance.

Our approval of this contract is not an endorsement of the costing methodology employed by the Company in this case. We approve this filing subject to that provision.

It is

O R D E R E D

That the contract between New England Telephone Company and UNICEL, filed September 3, 1996, is hereby approved pursuant to 35-A M.R.S.A. § 703(3).

Dated at Augusta, Maine, this 15th day of November, 1996.

BY ORDER OF THE COMMISSION

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Christopher P. Simpson  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Hunt

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and

Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.

2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1310(1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.

3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.